## IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

NORTH CAROLINA A. PHILIP RANDOLPH INSTITUTE and ACTION NC,

Plaintiffs,

V.

THE NORTH CAROLINA STATE BOARD OF ELECTIONS, et al.,

Defendants.

Civil Action No. 1:20-cv-00876

JOINT STATUS REPORT

Pursuant to the Court's December 17, 2021 Order, the parties jointly report on the status of efforts to resolve issues in connection with the pending Motion to Intervene by Philip E. Berger, in his official capacity as President Pro Tempore of the North Carolina Senate, and Timothy K. Moore, in his official capacity as Speaker of the North Carolina House of Representatives (Dkt. # 44-45); and the pending Motion to Dismiss by the District Attorney Defendants (Dkt. # 46-47), as follows:

- 1. Counsel for all parties met and conferred on Tuesday, January 4, 2022.
- 2. During the meet and confer, the parties were unable to resolve any issues in connection with the pending motions. None of the parties have changed their positions on any of these issues since the motions were briefed.

### Dated: January 6, 2022 Respectfully submitted,

By: /s/ Mitchell D. Brown

# SOUTHERN COALITION FOR SOCIAL JUSTICE

Allison J. Riggs (State Bar No. 40028) Mitchell D. Brown (State Bar No. 56122) 1415 West Highway 54, Suite 101 Durham, NC 27707

Tel: (919) 323-3380 Fax: (919) 323-3942 allisonriggs@southerncoalition.org mitchellbrown@scsj.org

#### SIMPSON THACHER & BARTLETT LLP

Jonathan K. Youngwood (*specially appearing*) Nihara K. Choudhri (*specially appearing*) 425 Lexington Avenue New York, NY 10017

Tel: (212) 455-2000 Fax: (212) 455-2502 jyoungwood@stblaw.com nchoudhri@stblaw.com

Counsel for Plaintiffs

Orlando L. Rodriguez
Special Deputy Attorney General
North Carolina Department of Justice
P.O. Box 629
Raleigh, North Carolina 27602-0629
Tel: (919) 716-6516
Fax: (919) 716-6761
orodriguez@ncdoj.gov

Counsel for Proposed Intervenors

Kathryn H. Shields Special Deputy Attorney General North Carolina Department of Justice P.O. Box 629 Raleigh, North Carolina 27602-0629

Tel: (919) 716-6879 Fax: (919) 716-6755 kshields@ncdoj.gov

Elizabeth Curran O'Brien Special Deputy Attorney General North Carolina Department of Justice P.O. Box 629 Raleigh, North Carolina 27602-0629

Tel: (919) 716-0091 Fax: (919) 716-6755 eobrien@ncdoj.gov

Counsel for the District Attorney Defendants

Terence Steed Special Deputy Attorney General North Carolina Department of Justice P.O. Box 629 Raleigh, North Carolina 27602-0629 Tel: (919) 716-6567

Fax: (919) 716-6755 tsteed@ncdoj.gov

Mary Carla Babb Special Deputy Attorney General North Carolina Department of Justice P.O. Box 629 Raleigh, North Carolina 27602-0629

Tel: (919) 716-6573 Fax: (919) 716-6755 mcbabb@ncdoj.gov

Counsel for the State Board Defendants

## **CERTIFICATE OF SERVICE**

I certify that on the 6th day of January 2022, a copy of the foregoing Joint Status Report was filed with the Court's CM/ECF system which will send notification of such filing to all counsel of record.

Dated: January 6, 2022 /s/ Mitchell D. Brown

Mitchell D. Brown